MICHAEL A. FIRESTEIN, SBN 110622
mfirestein@proskauer.com
PROSKAUER ROSE LLP
2049 Century Park East, 32nd Floor
Los Angeles, CA 90067-3206
Telephone: (310) 557-2900
Facsimile: (310) 557-2193

STEVEN M. BAUER,
Admitted *pro hac vice*
sbauer@proskauer.com
JACOB K. BARON,
Admitted *pro hac vice*
jbaron@proskauer.com
PROSKAUER ROSE LLP
One International Place
Boston, MA 01220
Telephone: (617) 526-9600
Facsimile: (617) 526-9899

Attorneys for Defendant,
Sony Corporation of America

DAVID N. KUHN, SBN 73389
dnkuhn@pacbell.net
Attorney-at-Law
144 Hagar Avenue
Piedmont, CA 94611
Telephone: (510) 653-4983

Attorney for Plaintiff,
Gregory Bender

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GREGORY BENDER Plaintiff, v. SONY CORPORATION OF AMERICA, a New York corporation, Defendant.	Case No. 09-CV-01246-CRB **STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO RESPOND TO AMENDED COMPLAINT**

RECITALS

WHEREAS, the Complaint of Plaintiff Gregory Bender ("Plaintiff") in this action was filed on or about March 23, 2009;

WHEREAS, the Amended Complaint of Plaintiff in this action was filed on or about May 20, 2009;

-1-

1   WHEREAS, Plaintiff filed a Stipulation to File a Second Amended Complaint on

2 September 15, 2009 which amends the party names and the accused products;

3   WHEREAS, Defendant Sony Corporation of America's ("Sony's") response to Plaintiff's

4 Amended Complaint is due on November 4, 2009;

5   WHEREAS, the Parties are waiting for the Court's decision regarding the Stipulation to

6 File a Second Amended Complaint;

7   WHEREAS, this extension will provide time for the Court to determine whether to accept

8 the Parties' stipulation regarding Plaintiff's Second Amended Complaint; and

9   WHEREAS, this additional time will not interfere with any other deadlines set by the

10 Court in this matter.

11

12   **STIPULATION**

13   Pursuant to Local Rule 6-1(a), IT IS HEREBY STIPULATED AND AGREED by the

14 parties, through their counsel, that the time within which Sony shall be required to file its answer,

15 motion, counterclaim, cross-claim and/or other responses to Plaintiff's Amended Complaint in this

16 action shall be extended to 10 days after the Court rules on Plaintiff's Stipulation to File a Second

17 Amended Complaint.

18

19   APPROVED AS TO FORM AND CONTENT

20

21   DATED: November 4, 2009   STEVEN M. BAUER
                                                     MICHAEL A. FIRESTEIN
22   JACOB K. BARON
                                                     PROSKAUER ROSE LLP
23

24   /s/ Jacob K. Baron
                                                     _____
                                                            Jacob K. Baron
25

26   Attorneys for Defendant,
                                                     Sony Corporation of America
27

28
                                        -2-

STIPULATION TO EXTEND TIME TO RESPOND
Case No. C 09-01246-CRB

1

2
  DATED: November 4, 2009   DAVID N. KUHN

3

4
                                        /s/ David N. Kuhn

5
                                              David N. Kuhn

6
                                     Attorney for Plaintiff,
                                     Gregory Bender

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28
                                           -3-

1

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

2

I, Jacob K. Baron, hereby declare pursuant to General Order 45, § X.B, that I have

3

obtained the concurrence on the filing of this document from the all the signatories listed above.

4

I declare under penalty of perjury that the foregoing declaration is true and correct.

5

DATED: November 4, 2009

6

7

/s/ Jacob K. Baron
Jacob K. Baron

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

-4-

STIPULATION TO EXTEND TIME TO RESPOND
Case No. C 09-01246-CRB

1

[PROPOSED] ORDER

2

　　Having considered the foregoing Stipulation, and good cause appearing,

3

　　　(1)　　The time within which Sony shall be required to file its answer, motion,

4

counterclaim, cross-claim and/or other response to Plaintiff's Amended Complaint in this action

5

shall be extended to 10 days after the Court rules on Plaintiff's Stipulation to File a Second

6

Amended Complaint.

7

　　IT IS SO ORDERED

8

9

DATED: November 10, 2009

10

The Honorable Cha........
Judge.......... Court,
North.........

11

IT IS SO ORDERED

Judge Charles R. Breyer

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

-5-